FOR PUBLICATION

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

United States of America, ${\it Plaintiff-Appellee},$

v.

Cruz Iniguez, aka Cruz Iniguez Garcia, Manuel Martinez, and Cruz Garcia Iniguez,

Defendant-Appellant.

No. 01-50553

D.C. No. CR-98-00166-GLT-01

United States of America,

Plaintiff-Appellant,

V.

CRUZ INIGUEZ, aka Cruz Iniguez Garcia, Manuel Martinez, and Cruz Garcia Iniguez,

Defendant-Appellee.

No. 01-50629

D.C. No. CR-98-00166-GLT-01

ORDER

Filed February 18, 2004

Before: Mary M. Schroeder, Chief Judge.

ORDER

Upon the vote of a majority of nonrecused regular active judges of this court, it is ordered that this case be heard by the en banc court pursuant to Circuit Rule 35-3.

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